

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

Gracie Hunt,)
Plaintiff(s),)
vs.)
Lowe's Home Centers, LLC and)
Whirlpool Corporation,)
Defendant(s).)
Case No.: 1:15-0092
JOINT STATEMENT REGARDING
THE MOTION FOR TRIAL
CONTINUANCE AND ADJUSTMENT
OF PRE-TRIAL DEADLINES

Pursuant to this Court’s Order of February 28, 2017, Plaintiff Gracie Hunt (“Plaintiff”), Lowe’s Home Centers, LLC (“Lowe’s”) and Whirlpool Corporation (“Whirlpool”) hereby submit the following Joint Statement Regarding the Motion for Trial Continuance and Adjustment of Pre-Trial Deadlines:

J. Unresolved Issues

As set forth in the Motion for Trial Continuance, Plaintiff's liability expert, Leighton Sissom, became ill at or near the time of Plaintiff's expert disclosures. Mr. Sissom declined in health and could no longer serve as Plaintiff's liability expert. Plaintiff retained a new liability expert, J.A. Boulet in mid-December 2016. Mr. Boulet has just recently completed his review of the case and submitted his report to Defendants on February 24, 2017. Mr. Boulet's deposition is tentatively set for March 16 so long as counsel is willing to agree to produce his file materials two business days in advance so that Defendants may take Mr. Boulet's deposition telephonically.

Following Mr. Boulet's deposition, Defendants will need 15 days to prepare their expert reports and will be able to present all experts for deposition within 30 days thereafter.

Therefore, the only unresolved issues pertain to the completion of Plaintiff's liability expert's deposition and Defendants' expert discovery. All other discovery is complete. The new pre-trial deadlines need only address a date by which to depose Plaintiff's liability expert, a date for producing Defendants' experts reports, a date by which to depose Defendants' experts, and a new dispositive motion deadline. All parties agree that a 90 day trial continuance should be sufficient to complete the pre-trial phase of discovery and dispositive motions.

II. ADR Position

Whirlpool and Plaintiff are willing to participate in ADR after the deadline for filing dispositive motions.

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